

To the Members of the California State Senate:

I am returning Senate Bill 123 without my signature.

While I appreciate the author's continued efforts to provide pupils with disabilities with other opportunities to demonstrate that they meet the same content standards of the California High School Exit Exam (CAHSEE), this bill is premature. The State Board of Education (SBE) and the California Department of Education (CDE) is nearing a final settlement agreement with plaintiffs in the case of Chapman, et al. v. the California Department of Education, et al. This bill will not only interfere with current legal negotiations, but it also circumvents the SBE's authority.

In May 2007, the Superintendent of Public Instruction recommended, and the SBE concurred, that the CAHSEE continue as a graduation requirement for special education students. This bill would hinder that effort.

For these reasons, I am unable to sign this measure.

Sincerely,

Arnold Schwarzenegger